

## UNITED STATES DISTRICT COURT

for the  
Southern District of West Virginia

FILED  
NOV - 2 2011  
TERESA L. DEPPNER, CLERK  
U.S. District Court  
Southern District of West Virginia

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

2010 Quarrier Street, East  
Charleston, WV

)  
)  
) Case No. 2:11-mj-00117  
)  
)  
)

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of West Virginia  
(identify the person or describe the property to be searched and give its location):

Attachment A

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

Attachment B

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before

October 28, 2011  
(not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Mary E. Stanley

(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for \_\_\_\_\_ days (not to exceed 30).

☐ until, the facts justifying, the later specific date of \_\_\_\_\_.

Date and time issued: Oct 24, 2011 10:24 am

Mary E. Stanley  
Judge's signature

City and state: Charleston, WV

Mary E. Stanley, U.S. Magistrate Judge  
Printed name and title

AO 93 (Rev. 12/09) Search and Seizure Warrant (Page 2)

## ATTACHMENT A

The premises to be searched are located at 2010 Quarrier Street, East, Charleston, West Virginia, 25311. The building is a three-story, red brick building situated on the northwest corner of Quarrier Street and Jefferson Street in Charleston, West Virginia. The structure has a front porch, supported by white pillars, which faces Quarrier Street. Entrance to the structure is via a door facing Quarrier Street that is marked with the number "2010." The front door is approachable via red brick steps leading from the public sidewalk that runs along Quarrier Street. There are also doors located on the west and north sides of the structure. There is a small parking lot in the rear, or north side, of the structure. Four photographs of the structure are attached.













## ATTACHMENT B

1. Any and all records relating to a scheme by Douglas E. Pauley and Encore Management Company, Inc. (Encore), their employees, and their corporate and individual affiliates to make false statements in matters within the jurisdiction of the executive branch of the Government of the United States; to conspire to make such false statements; and to conspire to defraud the United States, including:
  - a. Maintenance records, including work orders, tenant maintenance requests, bids, proposals, invoices, and receipts;
  - b. Tenant records, including applications, tenant income certification forms and verification files, corrections to tenant files, and records concerning the identity and whereabouts of current and former tenants who possess evidence of false statements made in connection with LIHTCs;
  - c. Occupancy and vacancy records, including lease termination records, eviction records, and occupancy reports and charts;
  - d. Financial records, including financial statements, ledgers, journals, gross receipts and income records, petty cash records, expense account records, disbursement records, accounts receivable and payable ledgers and records, expense invoices, records documenting expenses paid by cash (currency) or bank check (cashier or teller checks), and retained copies of any bank checks (cashier or teller checks) and deposit slips;
  - e. Records of statements made and documents provided to Spectrum Enterprises, the West Virginia Housing Development Fund, and the Internal



Revenue Service concerning compliance with low-income housing tax credit (LIHTC) program requirements;

- f. Records relating to inspections of Encore-managed properties, whether performed by a government agency or a third-party contractor;
- g. Records pertaining to applications for, or awards of, federal assistance for low-income housing projects, including LIHTCs, the Tax Credit Assistance Program (TCAP), and the Tax Credit Exchange Program (TCEP);
- h. Records relating to the purchase and use of LIHTCs by investors;
- i. Records relating to partnerships created for the purpose of applying for federal assistance for low-income housing projects, including corporate minute books, operating agreements, correspondence with investors, and records of capital contributions, capital accounts, allocations, and distributions to members of any companies;
- j. Employee personnel files and any other records concerning the identity and whereabouts of current and former Encore employees who possess evidence of false statements made in connection with LIHTCs;
- k. Internal and external communications concerning any of the above categories;
- l. Facsimile records, including facsimile logs, cover sheets, and transmission reports; and
- m. Public notary records, including notary books, stamps, and licenses.

2. The records described above include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing or drawing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).
3. This search warrant also authorizes the analysis, imaging, and possible seizure of computer equipment and storage devices in accordance with the procedure set forth in the accompanying Affidavit.

UNITED STATES DEPARTMENT OF JUSTICE FEDERAL  
BUREAU OF INVESTIGATION

Receipt for Property Received/Returned/Released/Seized

File # 46J-PG-79321

On (date) 10/24/2011

item(s) listed below were:

- ☐ Received From  
☐ Returned To  
☐ Released To  
☒ Seized

(Name) Douglas Pauley  
(Street Address) 2010 Quarrier Street  
(City) Charleston, WV

Description of Item(s):

7 boxes - Anderson Heights - Labeled 1A-1G7 boxes - Ashton Pointe - Labeled 2A-2G4 boxes - Barbara Heights - Labeled 3A-3D6 boxes - Cranberry Cove - Labeled 4A-4F3 boxes - Dara Heights - Labeled 5A-5C7 boxes - Deer Forest Apartments - Labeled 6A-6G8 boxes - Dunhill - Labeled 7A-7H6 boxes - Dylan Heights - Labeled 8A-8F3 boxes - Elle Belle Villa - Labeled 9A-9C7 boxes - Fayette Hills II - Labeled 10A-10G7 boxes - Fort Springs - Labeled 11A-11G2 boxes - Garrett Mills - Labeled 12A-12B7 boxes - Gilbert Heights - Labeled 13A-13G7 boxes - Hart House - Labeled 14A-14G7 boxes - Heintz House - Labeled 15A-15G7 boxes - Hickory Way - Labeled 16A-16G7 boxes - High Street - Labeled 17A-17G7 boxes - Hill Manor II (Apartments) - Labeled 18A-18G7 boxes - Hope Landing - Labeled 19A-19G2 boxes - Hudson Place - Labeled 20A-20B

**UNITED STATES DEPARTMENT OF JUSTICE FEDERAL  
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**File # 46J-PG-79321**

6 boxes - Jenna Landing - Labeled 21A-21F
7 boxes - Lynelle Landing - Labeled 22A-22G
7 boxes - Maplewood Apartments - Labeled 23A-23G
7 boxes - Mill Creek Landing - Labeled 24A-24G
7 boxes - Morgan Manor Apartments - Labeled 25A-25G
7 boxes - Mulberry Place Apartments - Labeled 26A-26G
7 boxes - Old Ash Village - Labeled 27A-27G
6 boxes - Pauli Heights - Labeled 28A-28F
7 boxes - Perkins Parke - Labeled 29A-29G
7 boxes - Pine Meadows II (Apartments) - Labeled 30A-30G
6 boxes - Plateau Oaks - Labeled 31A-31F
7 boxes - Pleasant Heights - Labeled 32A-32G
7 boxes - Post Mill - Labeled 33A-33G
5 boxes - Quarry Glen - Labeled 34A-34E
7 boxes - Sewell Landing - Labeled 35A-35G
5 boxes - Spruce Cove - Labeled 36A-36E
7 boxes - Sue Terrace Apartments - Labeled 37A-37G
4 boxes - Trace Ridge - Labeled 38A-38D
4 boxes - Tyler Heights - Labeled 39A-39D
7 boxes - Union Place - Labeled 40A-40G
7 boxes - Upper Falls Landing Apartments - Labeled 41A-41G
7 boxes - Van Meter Heights Apartments - Labeled 42A-42G
8 boxes - Vickers Parke - Labeled 43A-43H
2 boxes - Wilshire Landing - Labeled 44A-44B
7 boxes - Wood Valley Apartments - Labeled 45A-45G
13 boxes - Accts. Receivable - Labeled 46A-46M
1 box - Hart House - Labeled 47A
2 boxes - Anderson Heights - Labeled 48A-48B
1 box - Former Employees
2 boxes - Tenants - Labeled 50A-50B
1 box - USDA/MINC



**UNITED STATES DEPARTMENT OF JUSTICE FEDERAL  
BUREAU OF INVESTIGATION**

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**File # 46J-PG-79321**

1 box - Quarterly Reports - Year 2006 thru 2008

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1 box - Proposed & Actual Budgets

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1 box - Anderson Hts. - Labeled 54A

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1 box - Ashton Pointe - Labeled 55A

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3 boxes - Barbara Heights - Labeled 56A-56C

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2 boxes - Cranberry Cove - Labeled 57A-57B

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2 boxes - Dara Heights - Labeled 58A-58B

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1 box - Deer Forest - Labeled 59A

---

1 box - Dunhill - Labeled 60A

---

2 boxes - Dylan Heights - Labeled 61A-61B

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3 boxes - Elle Bella - Labeled 62A-62C

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1 box - Fayette Hills - Labeled 63A

---

1 box - Fort Springs - Labeled 64A

---

1 box - Gilbert Heights - Labeled 65A

---

1 box - Hart House - Labeled 66A

---

1 box - Heintz House - Labeled 67A

---

1 box - Hickory Way - Labeled 68A

---

1 box - Hope Landing - Labeled 69A

---

2 boxes - Jenna Landing - Labeled 70A-70B

---

2 boxes - Lynnelle Landing - Labeled 71A-71B

---

1 box - Maplewood - Labeled 72A

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1 box - Morgan Manor

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1 box - Mulberry Place

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1 box - Old Ash Village

---

1 box - Perkins Parke

---

1 box - Post Mill

---

1 box - Pleasant Hts.

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1 box - Quarry Glenn

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1 box - Sue Terrace I

---

1 box - Union Place

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1 box - Development Files

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**UNITED STATES DEPARTMENT OF JUSTICE FEDERAL  
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**File # 46J-PG-79321**

1 box - Vickers Parke

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1 box - Project Market Studies

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1 box - Mill Creek Landing

---

2 boxes - Pauli Heights - Labeled 86A-86B

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1 box - Pine Meadows

---

2 boxes - Pine Meadows II

---

2 boxes - Plateau Oaks - Labeled 89A - 89B

---

2 boxes - Spruce Cove - Labeled 90A-90B

---

2 boxes - Trace Ridge - Labeled 91A-91B

---

3 boxes - Tyler Heights - Labeled 92A-92C

---

2 boxes - Van Meter - Labeled 93A-93B

---

1 box - Wood Valley I

---

2 boxes - Wood Valley II - Labeled 95A-95B

---

6 boxes - Property Insurance - Labeled 96A-96F

---

2 boxes - Former Employees - Labeled 97A-97B

---

3 boxes - bank statements - Labeled 98A-98B

---

3 boxes - Jennie's box - labeled 99A-99C

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3 boxes - Mulberry Place - Labeled 100A-100C

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31 boxes - Tenant files - Labeled 101A-101AE

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3 boxes - Mgmt. files - Labeled 102A-102C

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11 boxes - Encore - Labeled 103A-103K

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3 boxes - FAMC Mgmt. Properties - Labeled 104A-104C

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6 boxes - Doug - Labeled 105A-105F

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5 boxes - Hemingway - Labeled 106A-106e

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11 boxes - Encore - Labeled 107A-107K

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5 boxes - Deposits - Labeled 108A-108E

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3 boxes - Ins. Policy - Labeled 109A-109C

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File cabinet - Bankruptcy Records, Ins. Info, etc.

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4 boxes - Project Files - Labeled 111A-111D

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2 boxes - Paint Towne - Labeled 112A-112B

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1 box - Reserve Requests

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1 box - 2001 Mgmt Agreement and Plan - Pine Meadows

1 box - Anderson Heights

1 box - Anderson

1 box - Management Files

1 box - Hill Manor

1 box - Anderson

1 box - Alicia Arms

1 box - A-M 2003

1 box - Greystone Landing

1 box - WV Housing Compliance Reports

1 box - Lawsuit Settlements

1 box - Software

1 box - St. Martin

1 box - Sue Terrace

1 box - Dylan Heights

2 boxes - Deer Forest notebooks - Labeled 129A-129B

1 box - Dylan Heights

1 box - Hemingway Place

1 box - Fayette Hills

1 box - Cranberry Cove

1 box - Dylan Heights

1 box - Ashton Pointe

1 box - Hope Landing

1 box - Dunhill

1 box - Hope Landing

1 box - Hudson Place Apartments

1 box - Hart House

1 box - Hickory Way

1 box - Gilbert Heights

1 box - Greystone Landing

1 box - Lynnelle Landing

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1 box - Doug's Expenses

1 box - Barbara Heights

1 box - Barbara Heights

1 box - Financial Statements

1 box - Site Photos

1 box - Hudson Place Apartments

1 box - Cranberry Cove

1 box - Hill Manor

1 box - Jenna Landing

1 box - Account Info

1 box - Paint Towne

1 box - Financial Documents

1 box - Tech Village

1 box - Legal Documents and Partnership Accounts

1 box - Cherry Hill Binders and Misc. Plans and Agreements

1 box - Doug Dead Files, Sold Stock, INS Info

1 box - Specs for properties

1 box - Structures, misc

1 box - Union Place

3 boxes - Post Mill - labeled 164A-164C

1 box - Pine Meadows II

2 boxes - Plateau Oaks - Labeled 166A-166B

1 box - Quarry Glenn

2 boxes - Spruce Cove - labeled 168A-168B

2 boxes - Trace Ridge - Labeled 169A-169B

2 boxes - Mill Creek Landing - labeled 170A-170B

1 box - Maplewood

2 boxes - Tyler Heights - labeled 172A-172B

1 box - Mulberry Place

1 box - Upper Falls

1 box - Milton, Tech Village, Spencer Mills, Old Ash



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1 box - VanMeter

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1 box - Vickers & Union Place

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1 box - VanMeter Heights

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1 box - Wood Valley

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5 boxes - Loan Documents - labeled 180A-180E

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1 box - Arbitration Binder

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2 boxes - Hemingway Place - labeled 182A-182B

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1 box - Vickers Place Apartments

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Items from Pauley's desk

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4 boxes - Files from Pauley's office in file cabinet in back of room - Labeled 185A-185B

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Misc. Documents on top of filing cabinet

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File cabinet

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\*\*\*Possible Taint\*\*\* material (Legal Documents)

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3 floppy disks

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27 disks

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6 boxes - Items from credenza - Labeled 191A-191F

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Motorola cell phone, S/N 364DKX1HG7; LG cell phone S/N 905CQNL203015; Verbatim 512 Mb thumb drive

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2 boxes - from desk - labeled 193A-193B

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Items from organizer on lateral cabinet

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3 boxes - Items from lateral file cabinet - labeled 195A-195C

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Inventory taken from Tyler Heights Apartments in re to Kathy Gibson & sep. accordian file

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2 boxes - Items on floor beside couch - labeled 197A-197B

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8 boxes - Binders on each apt. complex tax program - labeled 198A-198H

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2 CDs found in floor

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4 CDs found in credenza bottom drawer

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2 boxes - Items from desk and file cabinet - labeled 201A-201B

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2 boxes - Items from small computer desk - labeled 202A-202B

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3 boxes - Items from bookshelf - Labeled 203A-203C

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2 CDs from desk drawer

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Manuals from closet area

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3 boxes - items from back table - labeled 206A-206C

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**File # 46J-PG-79321**

Yarid Software Handbook

File cabinet

2 boxes - documents from desk - labeled 209A-209B

6 boxes - binders & documents from closet - labeled 210A-210F

Items on Fireplace

Copies of checks from Table in Room O

Small plastic file box

Items on table beside file cabinet

4 boxes - files from file cabinet - labeled 215A-215D

3 boxes - Binders for each complex - labeled 216A-216C

4 boxes - St. Martin - labeled 217A-217D

7 boxes - Hemingway Place - labeled 218A-218G

1 box - Paint Towne

2 boxes - items from top of files cabinets - labeled 220A-220B

1 box - Cranberry Cove Construction account

20 CDs, 4 floppy disks

HDF & Building Agreements

Bank statements from various properties

Bank statements and ledgers from various properties

4 boxes - documents from brown 4 drawer file cabinet - labeled 226A-226D

2 boxes - documents from small file cabinet - labeled 227A-227B

Unlocked dark grey 4 drawer file cabinet - labeled 228A-228D

6 boxes - Documents from light grey 4 drawer file cabinet - labeled 299A-229F

4 boxes - documents from light grey 4 drawer file cabinet - labeled 230A-230D

5 boxes - Information on various properties from window sill - labeled 231A-231E

2 boxes - WV HDF & various property documents - labeled 232A-232B

1 box - Tyler Legal Case

3 boxes - Hemingway - labeled 234A-234C

5 boxes - documents from east side desk and work area - labeled 235A-235E

Various documents to include day-timer books, agreements and receipts from west side desk

Various documents to include contract orders and property folders from table behind west side desk

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Property contract orders and papers from shelf beside west side desk

8 floppy disks from west side desk

5 floppy disks from shelf beside west side desk

2 boxes - files on various properties from corner beside west side desk - labeled 241A-241B

42 floppy disks, 18 CDs and Peachtree software

2 2 GB thumb drives

Kodak digital camera S/N KCGMH03942173

21 floppy disks

Gray portable file re Dougs Personal Exp. etc.

Items retrieved from SE desk

Trash from under SE desk

Gray portable folder re Hill Manor II

Black plastic file box containing documents pertaining to Sue Terrace II

1 box - Sue Terrace Construction

Real Estate Folders

1 box - Farm House

1 box - Virginia Way Construction

Black Portable File Crown Hill Lp Construction Info

4 St. Marten account payable binders and various financial documents

Retreat at Glade Springs binders

4 boxes - Limited Partnership binders - Labeled 258A-258D

Bills, Purchase orders, and receipts

2 boxes - TCAP Information - labeled 260A-260B

Contract of Purchase and Sale and Site Plan

Info re various developments

2 training and reference manuals - WV HDF

100 disks

1 box - Milton Place

Milton Place maps

Various binders and folders re properties

2 boxes - various folders re properties - labeled 268A-268B

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2 floppy disks & 1 CD

Various property records

Items from safe

1 box - Anderson Heights Master File

Spectrum Inspection Reports & Various documents

1 box of blank maintenance and work order forms

Various property notebooks

File cabinet - Labeled 1

File Cabinet - Labeled 2

File Cabinet - Labeled 3

Various documents from the bookshelf

Various documents from under computer desk

Yardi software notebook

2 boxes - various documents from computer desk - labeled 282A-282B

File cabinet - labeled 4

File Cabinet - Labeled 5

File Cabinet - labeled 6

File cabinet - Labeled 7

HAP Vouchers and various documents

MMA-Boston Capitol-Summit Group and W VHDF

13 boxes - Various properties financial binders - Labeled 289A-289M

Tax documents - filing cabinet 1 2nd drawer

2 boxes - Various documents File Cabinet 1 - drawer 4 - labeled 291A-291B

Various documents - file cabinet 2 - 4th drawer

2 boxes - Various documents - File cabinet 3 - drawer 2 - labeled 293A-293B

Various documents - file cabinet 3, drawer 3

1 CD & 56 diskettes

Security Deposit Slip for Unit 303

62 computer disks

Various documents from north wall

Emails found in organizer on north wall



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Seagate hard drive, S/N 9QZ4XJRM; Seagate HD S/N 3JX7JFFS

Binder found on north wall beside desk

Bank document found on north wall on radiator stand

Documents (invoices) found on fax machine

2 boxes - various documents - labeled 304A-304B

Reserve Accounts from File Cabinet 4, Drawer 1

Various documents found in floor by desk

Deer Forest Documents File Cabinet Drawer 1

Deer Forest Documents File Cabinet 6 Drawer 1

Personnel/Payroll Form Deer Forest Apts. (found on space heater)

Various documents from desk

Property list with phone #s

Accordian file from folding table

Document from file organizer on folding table

Accounts Payable folder - Deer Forest

File cabinet from Room H

Documents from Room L

Various documents

Hitachi hard drive, Serial # MSOWX25K with image files RL\_C1 & RL\_C2

WD hard drive S/N WCARY1340367 with image files RP\_C4

Seagate hard drive, s/n 9V5313KV with image file RQ\_C3 & RW\_C5

Seagate Hard Drive, s/n 22A8H2Tb with image files RW\_C3

Hitachi hard drive, s/n MSOX36LK with image files RJ\_C2, RH\_C1 & RW\_Cw

Seagate Hard Drive s/n 9VP2938P with image files RO\_C1 & RW\_C1

Seagate hard drive s/n Z2A8j9CB with image files RN\_C1

Seagate hard drive S/N 9VP2C2FS with image files RP\_C1

Seagate hard drive S/N ZCA8JA9F with image files RR\_C1

Seagate hard drive S/N 9V83LLHD with image files RQ\_C1

Seagate hard drive S/N 5XWOMEV2 with image files RV\_C1

Seagate hard drive S/N 9V83LORA with image files RP\_C3 & RQ\_C2

Seagate hard drive S/N 9VP64BTH with image files RW\_C2

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**File # 46J-PG-79321**

Seagate hard drive s/n 5QJ11CC9 with image files RP\_C2\_external

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WD hard drive s/n WCAYUY343558 with image files RP\_C2

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Seagate hard drive s/n 6VPBTVW7 with image files RJ\_C1\_D1 & RJ\_C1\_D2

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WD hard drive S/N WCAYUY226546 with image files RH\_C1\_D1, RH\_C1\_D2, RQ\_D1, RW\_C2\_D1  
& RW\_C2\_D2

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Documents from trash

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Received By \_\_\_\_\_

(signature) \_\_\_\_\_

Received From \_\_\_\_\_

(signature) \_\_\_\_\_